

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALEJANDRO ALVARADO-RODRIGUEZ,

Defendant.

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Case No. 6:18-CR-03081-MDH

ORDER

Before the Court is the Report and Recommendation of the Magistrate Judge. (Doc. 27). On September 14, 2018, Defendant filed a motion for a hearing to determine his competency to stand trial. (Doc. 19). On September 19, 2018, the Magistrate Judge granted that motion. (Doc. 20). On March 15, 2019, a psychiatric report was submitted to the Court, wherein a forensic psychologist, Dr. Baecht, Ph.D., ABPP, opined that Defendant was not suffering from a mental illness, was competent to stand trial, and would remain so for the foreseeable future. (Doc. 22 at 10). A hearing was held on April 9, 2019. (Doc. 25).

On April 11, 2019, the Magistrate Judge issues a Report and Recommendation finding by a preponderance of the evidence that Defendant was not presently suffering from a mental illness and was able to understand the nature and consequences of the proceedings against him and assist properly in his defense. (Doc. 27 at 2). The Magistrate Judge recommended that Defendant be found competent to stand trial. *Id.*

During proceedings held before the Court on April 22, 2019, Defendant represented to the Court that he had no intention of excepting to the Report and Recommendation and waived the right to file an exception. After careful review of the record, the Court finds by a preponderance

of the evidence that Defendant is able to understand the nature and consequences of the proceedings against him and assist properly in his defense. Consequently, the Court **ADOPTS** the Reports and Recommendation of the Magistrate Judge and finds that Defendant is **COMPETENT** to stand trial.

IT IS SO ORDERED.

DATED: April 23, 2019

/s/ Douglas Harpool
DOUGLAS HARPOOL
UNITED STATES DISTRICT JUDGE